
TORT CLAIMS - NEBRASKA

Saylor v. State

Supreme Court of Nebraska - June 19, 2020 - N.W.2d - 306 Neb. 147 - 2020 WL 3394726

Inmate brought tort claims against State arising out of instances included alleged aggravation of post-traumatic stress disorder and deprivation of use of pain-easing devices.

The District Court dismissed action. Inmate appealed.

The Supreme Court held that:

- As a matter of first impression, when a question is raised about whether the content of a presuit tort claim complied with the manner in which the State Claims Board prescribed such claims to be filed, the substantial compliance doctrine may be applied under the Nebraska State Tort Claims Act (STCA), and
- Inmate’s claim forms substantially complied with presuit presentment requirement of STCA even though forms did not provide amount of claim in dollar figure.

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